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6 IN THE UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

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RAMON GONZALEZ,

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Plaintiff,

No. C 11-03561 JSW

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v.

**ORDER TO SHOW CAUSE AND
VACATING HEARING ON
MOTION TO DISMISS AND CASE
MANAGEMENT CONFERENCE**

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BAC HOME LOANS SERVICING, L.P., et al.

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Defendants.

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On July 20, 2011, this case was removed from the Superior Court of the State of California for the County of Alameda. A motion to dismiss is pending and scheduled for hearing on October 28, 2011. On August 29, 2011, this Court issued an Order requiring that Plaintiffs' opposition brief to the motion papers docketed as docket nos. 21 to 23 shall be due by no later than September 16, 2011. Plaintiff has not filed an opposition to Defendants' motion.

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Accordingly, Plaintiff is HEREBY ORDERED TO SHOW CAUSE why this case should not be dismissed for failure to prosecute or, in the alternative, why Defendants' motion should not be granted. Plaintiff's response to this Order to Show Cause shall be due by no later than October 7, 2011. If Plaintiff seeks to oppose Defendants' motion, he must demonstrate good cause for failing to submit an opposition brief by September 16, 2011, and must include a proposed opposition to the motion by October 7, 2011. Plaintiff is HEREBY ADVISED that if he fails to submit a timely response to this Order to Show Cause, the Court either shall dismiss this case without prejudice for failure to prosecute or shall rule on Defendants' motion to

United States District Court
For the Northern District of California

1 dismiss without further notice to Plaintiff. If the Court rules on Defendants' motion to dismiss,
2 Plaintiff is HEREBY ADVISED that it may result in a dismissal of his claims with prejudice.

3 The Court ALSO ADVISES Plaintiff that a Handbook for Pro Se Litigants, which
4 contains helpful information about proceeding without an attorney, is available through the
5 Court's website or in the Clerk's office. He also may wish to seek assistance from the Legal
6 Help Center. She can call the Legal Help Center at 415-782-9000, extension 8657, or sign up
7 on the 15th Floor of the Courthouse, Room 2796, for a free appointment with an attorney who
8 may be able to provide basic legal help, but not legal representation.

9 Pending consideration of Plaintiff's response to this Order to Show Cause, the Court
10 HEREBY VACATES the motion hearing scheduled for October 28, 2011 at 9:00 a.m. and also
11 VACATES the case management conference scheduled for October 28, 2011 at 1:30 p.m.

12 **IT IS SO ORDERED.**

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14 Dated: September 21, 2011

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16 JEFFREY S. WHITE
17 UNITED STATES DISTRICT JUDGE
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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

RAMON GONZALEZ,

Case Number: CV11-03561 JSW

Plaintiff,

CERTIFICATE OF SERVICE

V.

10 | BAC HOME LOANS et al.

Defendant.

13 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

14 That on September 21, 2011, I SERVED a true and correct copy(ies) of the attached, by
15 placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter
16 listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an
inter-office delivery receptacle located in the Clerk's office.

18 Ramon Gonzalez
647 Tamarack Drive
19 Union City, CA 94587

Dated: September 21, 2011

Jennifer Ottolini

Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk